UNITED
NATIONS

A

General Assembly

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A/AC.242/L.10
8 August 1994

ORIGINAL: ENGLISH

AD HOC COMMITTEE ON THE ELABORATION
OF AN INTERNATIONAL CONVENTION
DEALING WITH THE SAFETY AND
SECURITY OF UNITED NATIONS AND
ASSOCIATED PERSONNEL
1-12 August 1994
Agenda item 5

ELABORATION, PURSUANT TO PARAGRAPH 1 OF GENERAL ASSEMBLY RESOLUTION 48/37 OF 9 DECEMBER 1993, OF AN INTERNATIONAL CONVENTION DEALING WITH THE SAFETY AND SECURITY OF UNITED NATIONS AND ASSOCIATED PERSONNEL, WITH PARTICULAR REFERENCE TO RESPONSIBILITY FOR ATTACKS ON SUCH PERSONNEL

Proposal by Australia

Article 16:

4. If necessary, the crimes set out in article 11 shall be treated, for the purposes of extradition between States Parties, as if they had been committed not only in the place in which they occurred but also within the jurisdiction of the State Party requesting the extradition.

Article 17:

1. States Parties shall afford each other, in accordance with their respective laws, the greatest measure of assistance in connection with investigations undertaken or proceedings brought in respect of the crimes set out in article 11, including the supply of all evidence at their disposal necessary for the proceedings.

1 bis. The type of assistance referred to in paragraph 1 above shall include as necessary:

(a) Taking of evidence and statements from persons;

(b) Assisting in the availability of detained persons or others to give evidence or assist in investigations;

(c) Effecting the service of judicial documents;

(d) Executing search and seizures;

(e) Examining objects and sites;

(f) Providing information and evidentiary items;

(g) Providing originals or certified copies of relevant documents and records, including bank, financial, corporate or business records; and

(h) Assisting in the location, restraint and forfeiture of the proceeds of the crimes set out in article 11.

2. The provisions of paragraph 1 above shall not affect obligations concerning mutual assistance embodied in any other treaty.

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Proposal by the Russian Federation

"Article 9 2 bis

"Jurisdiction with respect to criminal offences which may be committed by United Nations personnel

"Personnel participating in a United Nations operation are subject to the exclusive jurisdiction of their respective Member States with respect to any criminal offences which may be committed by them during the operation."

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Proposal by Pakistan

New article

Compensation

In the event of death, disability, injury or illness attributable to the performance of official duties on behalf of the United Nations, United Nations personnel participating in United Nations operations shall be entitled to compensation by the United Nations. The United Nations shall make equitable arrangements in this regard and shall ensure expeditious reimbursement.

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